

WHY WAS JAMES VI SO INTERESTED IN RESURRECTING SCOTLAND'S 'AULD ALLIANCE' WITH FRANCE IN THE 1590s?¹

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This paper seeks to outline some very preliminary research (and the emphasis here is on preliminary research) concerning the reasons why James VI embarked upon a deliberate pro-French policy during the 1590s. Whilst the ample primary published evidence of this policy appears to have been ignored by past and present historians of James VI, the king's rationale for doing so appears to concern his well-documented anxiety regarding his succession to the English crown. This evidence, however, not only advances an extra dimension to James VI's international policies during the 1590s but also brings into sharper focus his increasingly strained relations with Elizabeth and her ministers at this time. Therefore, by a brief examination of this evidence it is hoped that this extra dimension will help to clarify his seeming pro-French policies of the 1590s. These preliminary views are based on examining policies emanating from the well-known Anglo-Franco competition for the marriage of Mary Queen of Scots in the 1540s, the French victory, and French rule during the Regency of her mother Marie de Guise-Lorraine in the 1550s, which so clearly confirmed the 'Auld Alliance'. Indeed, it could be argued that James VI was merely following many of his grandfather's pro-French policies initiated under the Regency of the French-born duke of Albany during James V's minority,² which ended in 1528. It is also necessary to take into consideration the effect of

¹ An early draft of this paper was presented to the VIIth Australian Conference of Celtic Studies at the University of Sydney in September, 2010; and a much revised and augmented version to the Australian and New Zealand Association for Medieval and Early Modern Studies conference at the University of Otago, Dunedin, NZ in February 2011. There has been some modernization of sixteenth-century English and Scottish language and translation of French texts, for which I take full responsibility.

² For further information regarding these policies see, Elizabeth Bonner, 'Stewart [Stuart], John, second duke of Albany (c.1482-1536), soldier and magnate', *Oxford Dictionary of National Biography* [hereafter, *Oxford DNB*] (Oxford: Oxford University Press, 2004).

the arrival, at the behest of the Young King³ of his French cousin, Esmé Stuart 7th seigneur d'Aubigny, at Leith on 8 September 1579. Little is known of Esmé's life prior to his arrival in Scotland other than the brief biography published in 1891 by Lady Elizabeth Cust.⁴ Regarding his summons to the Scottish court Cust says,

He [Esmé] was intrusted with 40,000 gold pieces to spend at the Scottish Court, and took with him all the latest French fashions in dress and jewellery to please the King. A gay young Frenchman named Mombirneau was moreover added to his suite, who was a proficient in all the games and sports in which James delighted. It is stated that the Duc de Guise [another of James VI's 1st cousins] accompanied Esmé d'Aubigny on board the ship which was to take him to Scotland, and that Guise remained six hours engaged in earnest conversation with him, giving him the last instructions for his conduct on this important enterprise. The necessary funds were supplied by the French King [Henri III], aided afterwards by the Pope [Gregory XIII] and Philip II of Spain.⁵

Cust cites published sources which, more or less, confirm her deductions except for details of the sum of 40,000 pieces of gold. This benevolence is no great surprise if similar precedents are taken into consideration. In 1543 and 1548 Pope Paul III sent nuncios to Scotland. Marco Grimani, Patriarch of Aquileia, was dispatched in 1543⁶ and Pietro Lippomano, Bishop of

³ *Relations Politiques de la France et de l'Espagne avec l'Ecosse au XVI^e siècle*, ed., Alexandre Teulet, 5 vols (Paris, 1862), vol. 5, p. 194.

⁴ Elizabeth Cust, *Some Account of the Stuarts of Aubigny in France, 1422-1672* [hereafter Cust, *Stuarts of Aubigny*] (London, 1891), pp. 85-96. For a recent background history of the Stuarts d'Aubigny, see *Documents sur Robert Stuart, seigneur d'Aubigny (1508-1544). Guerrier et courtisan au service de Louis XII et de François Ier*, ed., Elizabeth Bonner, Éditions du Comité des travaux historiques et scientifiques (Paris, 2011); and briefer but more accessible, Elizabeth Bonner, 'Stewart [Stuart], Robert, (c.1470-1544), soldier', *Oxford DNB*.

⁵ Cust, *Stuarts of Aubigny*, p. 89. Notes 1 and 2; 'Moysie's *Memoires* Maitland Club, p. 25; W. Forbes Leith, *Narratives of Scottish Catholics*, pp. 136-81, "printed from the secret archives of the Vatican"; Calderwood, *Kirk of Scotland*, vol. III, p. 460'.

⁶ R.K. Hannay & J.H. Pollen, 'Letters of the Papal Legate in Scotland, 1543', *Scottish Historical Review*, XI (1913), see also L. von Pastor, *History of the Popes*, 36 vols, transl. R.F. Kerr (London, 1950), vol., XII, p. 472, and Appendix 21, *Ibid*, pp. 668-70 for Grimani's instructions from Paul III, 1 April 1543.

Verona, in 1548.⁷ En route, both papal nuncios spent several months at the courts of François I and Henri II, where they received advice, instructions and money to assist the Scots against the 'Rough Wooing'⁸ of both Henry VIII and the Protector Somerset.⁹

Nevertheless, research into the French archives and libraries will need to be undertaken to verify the assertions of scholars concerning the advent of Esmé at the Scottish Court in September 1579. As is well-known, however, soon after his arrival the young James VI showered his cousin with gifts and honours: Esmé was appointed commendator of the Abbey of Arbroath, on 5th March 1580 he was created Earl of Lennox and given custody of Dumbarton castle and admitted to the Privy Council in June and made Lord Chamberlain of Scotland on 15th October 1580, and finally he was created duke of Lennox 5th August 1581.¹⁰ Finally, it will be argued that the reasons why evidence of James VI's pro-French policies in the 1590s has been practically ignored by current historians of British history are based on a seeming disinclination to examine the great deal of existing manuscript material (much of it published in the eighteenth, nineteenth and early-twentieth centuries) concerning the 'Auld Alliance', as the Scots referred to their relationship with France, not only in the French but also in the Scottish and English archives and libraries.

The origins of the Anglo-Franco-Scottish relationship were established in 1295 when the Scots formed their first formal alliance with France against the bellicose and hegemonic actions against Scotland of the English king, Edward I. Furthermore, the 'Auld Alliance' was signed by every Scottish and French monarch (with the exception of Louis XI) from

⁷ J.E. Law and J.M. Manion, 'The Nunciature to Scotland in 1548 of Pietro Lippomano, Bishop of Verona', *Atti e Memorie della Accademia di Agricoltura Scienza e Lettere di Verona*, Serie VI, vol., XXII (1970-71).

⁸ The 'Rough Wooing' is the term commonly used to describe the Anglo-Scottish wars from 1543 to 1550 whereby Henry VIII and the Protector Somerset attempted to force the Scots to agree to the marriage of Mary Queen of Scots, born 8 December 1542 six days before her father James V died, to Edward, Henry VIII's only legitimate son and heir, and nephew of the Protector.

⁹ For a detailed elaboration of both Papal Nuncios' visits to France and Scotland see, Elizabeth Bonner, *The French Reactions to the Rough Wooings of Mary Queen of Scots*, published in *Journal of the Sydney Society for Scottish History*, Vol. 6 (1998), pp. 27-40 and 103-13.

¹⁰ G. Donaldson, *Scotland: James V-James VII*, vol. 3, Edinburgh History of Scotland [hereafter Donaldson, *Scotland: James V-James VII*] (Edinburgh, 1978), pp. 172-73.

1295 to the mid-sixteenth century. The expansion of the 'Auld Alliance' from its military origins accelerated in the fourteenth and fifteenth centuries during the Hundred Years War, gradually expanding thereafter and reaching its apogée in 1558 with the union of the French and Scottish crowns. It fell into abeyance during the second half of the sixteenth century only to be picked up with renewed vigour during the reigns of James VI and Henri IV; then slowly to decline after the union of the Scottish and English crowns in 1603, the decline becoming more rapid following the parliamentary union of those two kingdoms in 1707. The 'Auld Alliance', however, has generally been held to have ended with the death on 5 December 1560 of Mary Queen of Scots' first husband, Francis II, both of whom were the first and last king and queen of both France and Scotland. But from its very shaky beginnings as a mutually offensive/defensive military alliance against England, the 'Auld Alliance' gradually developed other familial, personal, social, legal, educational and cultural associations which did not die with Francis II, nor entirely ever really disappear.¹¹

In the dying days of the sixteenth century the young King of Scots, James VI, and the Lords of the Secret Council issued an Ordinance at Holyrood House on 17 December 1599, which proclaimed that: 'the first day of the year begins yearly upon the first day of January commonly called New Year's day' ... [and that] 'upon the first day of January next to come, ... shall be the first day of 1600 year of God'.¹² This ordinance put Scotland at odds with England where, until 1752, the 25th March [The Annunciation also known as Lady Day] continued to be, for most purposes of dating, the first day of the New Year, while in Scotland the New Year had been counted from the 1st January, as by the present ordinance, ever since 1600.

James VI's ordinance of 17 December 1599 also brought Scotland into line with France as regards the commencement of the year and adds a further aspect to James VI's relationship with the French King, Henri IV who, at Fontainebleau in March 1599, had followed his predecessors, François I^{er} in 1518 and Henri II in 1554, by confirming privileges for Scottish merchants trading in France and, at the same time, granted to all the Scottish subjects of James VI living in France, General Letters of Naturalization (as had Louis XII

¹¹ For further information see Elizabeth Bonner, 'Scotland's 'Auld Alliance' with France, 1295-1560' [hereafter, Bonner, 'Auld Alliance'], *History*, Vol. 84, No. 273 (Jan, 1999), pp. 5-30.

¹² National Archives of Scotland, Edinburgh, (hereafter NAS) Registrum Secreti Concilii; Acta (1598-1601) PC 1/17, fols. 205-6. Published in full in *Register of the Privy Council of Scotland* [hereafter *RPC*], D. Masson, ed. (Edinburgh, 1884), vol. VI (1599-1604), p. 63.

in 1513 and Henri II in 1558)¹³ enabling them 'to accept all and every the benefices, dignities and ecclesiastical offices that they might legally acquire, and also with permission to dispose of them by testament & etc. to their heirs and successors living in France'.¹⁴ These letters patent were afterwards registered at the *Parlement* of Paris on 31 July 1599. Perhaps it was the grant of these privileges that caused Sir Robert Cecil, Elizabeth's Chief Minister, to pen a memorandum in March 1599 entitled: 'A memorial of ye present state of Scotland, how it groweth every day into more affection to Popery'.¹⁵ It was also in 1599 that Robert Pont, a self-confessed 'aged Pastour in the Kirk of Scotland', published a lengthy discourse deploring that 'sundrie learned men of our men of our memory and time have earnestly desired, that some Reformation of the *Julian Kalendar* might be made till now lately in our daies, with favour of Pope Gregory 13 [XIII] his Cardinals and Councels, it was permitted in 1582 year of Christ'.¹⁶

In May 1599, Henri IV had sent his ambassador, Philippe de Béthune, (brother of Maximilien de Béthune, duc de Sully and Henri's Chief Minister) to Scotland where he was, 'expressly sent to James VI to assure him of the French king's friendship. Henri also reassured James that when he had signed the Treaty of Vervins with Spain on 2 May 1598, he had comprehended Scotland and 'its first article provided that the terms of the Treaty of Câteau-Cambrèsis [1559] should again prevail'.¹⁷ Also in March 1599 Henri IV

¹³ For a table of all the 'Auld Alliance' treaties, grants and privileges between French and Scottish monarchs from 1295 to 1646, see Elizabeth Bonner, 'French Naturalization of the Scots in the Fifteenth and Sixteenth Centuries' [hereafter Bonner, 'French Naturalization of the Scots'], *The Historical Journal* (October, 1997), pp. 1102-03.

¹⁴ Archives Nationales, Paris [hereafter AN], *Registre du Parlement de Paris*, X^{1A} 8644, fols, 47^v - 49^f; copies: Bibliothèque Nationale, Paris [hereafter BN], Fonds français 7996, fol., 102; National Library of Scotland, Edinburgh [hereafter NLS], Adv. MS. 35. 1. 5, fols, 357-8; British Library, London [hereafter BL], Harleian Coll. 1244, fols, 404-5; for an exact and full translation of this document see, T. Moncrieff, ed., *Memoirs Concerning the Ancient Alliance between the French and Scots ...* [hereafter, Moncrieff, *Memoirs*] (Edinburgh, 1751) repr. in *Miscellanea Scotia* (Glasgow, 1820), vol. IV, pp. 36-42; and for an edited version, *Calendar State Papers, relating to Scotland*, [hereafter *CSP, Scotland*] ed., J.D. Mackie (Edinburgh, 1969), vol. XIII (pt.1), pp. 431-33.

¹⁵ *CSP, Scotland...*, 2 vols, ed., M.J. Thorpe (London, 1858), vol. 2, p. 768.

¹⁶ R. Pont, *A Newe Treatise of the Right Reckoning of Yeares, and Ages of the World ... this 1600 yeare of Christ...* (Edinburgh, 1599), pp. 54-55.

¹⁷ D. Buisseret, *Henry IV* (London, 1984) p. 74. Scotland was comprehended, on the one part with France, and on the other part with England, in the peace treaty, signed at 'Casteau en Cambresis', 3 April

acknowledges a request from 'James Beaton, the Lord Archbishop of Glasgow, Ambassador,'¹⁸ near us for our very dear and beloved brother and cousin the King of Scotland [who] had required us to maintain the confederation which has been kept so long between the two crowns ... and to expedite our necessary letters of declaration and confirmation'.¹⁹ However, he could not, as requested by the Scottish ambassador renew the ancient treaties as in previous times because of the present friendship between France and the queen of England.²⁰ Therefore in May 1599, Henri ultimately proposed to establish an accord of 'friendship and good neighbourliness' with Scotland, rather than a renewal of the 'Auld Alliance' as requested by James VI, which Henri considered to be prudent as he did not want to give umbrage to Elizabeth; and his reasons for doing so appear to have been twofold.

A decade or so earlier there is evidence of the French king's gratitude for James VI's proposal to lead and pay the expenses of a contingent of 6,000 men to France to assist Henri in his struggle to establish himself on the French throne. On 31 December [1588] the future Henri IV of France had written to his mistress, la comtesse de Grammont, that 'a man had come bringing letters to my sister from the king of Scotland: he presses me more

1559, *CSP, Foreign, Elizabeth*, ed., J. Stevenson (London, 1863), vol. 1 (1558-59), Item No. 483, clause, 19.

¹⁸ James Beaton (c.1523-1603, nephew of Cardinal David Beaton); Archbishop of Glasgow, who moved to France after the institution of the Scottish Reformation in 1560, where he served firstly as Mary's then as James VI's ambassador.

¹⁹ Copy in French hand. Endorsed: 'Lettres patentes du Roy Henry 4^{em} octroyées aux Escossois. Anno 1599', *CSP, Scotland*, vol. XIII (1), pp. 431-3; further copies in the National Archives of the United Kingdom, London, [hereafter, NAUK], fully transcribed in this volume, are held in the BL, Add. MS. 30666, fol. 293, and BL, Add. MS. 19044, fol. 313, *Ibid.*, p. 433. But these copies are not the same as the one in the AN, *Registre du Parlement de Paris*, X^{1A} 8644, fols. 47-9, which was transcribed from the register at the Archives Nationales de France, and which was faithfully translated and published by Moncrieff, (*Memoirs*, pp. 36-42) in 1751. It is hard to offer an explanation for this paradox, but both Henri IV's and James VI's anxiety not to offend the English at this time may have been a contributing factor. For the remaining Beaton archive in Scotland see, M. Dilworth, 'Archbishop James Beaton's Papers in the Scottish Catholic Archives', *Innes Review*, XXXIV, (1983), and D. McRoberts, 'The Scottish Catholic Archives, 1560-1978', *Innes Review*, XXVIII (1977).

²⁰ *CSP, Scotland*, ed., J.D. Mackie, vol. XIII (pt.1), pp. 467-74.

than ever, and offers to come himself and serve me with 6,000 men.'²¹ The first detachment of 1,500 men of this force, under the command of Sir James Colvill of Easter Wemyss, landed at Dieppe²² and later fought by the side of Henri IV at Ivry (14 March 1590); the Scots under Colvill also participated in the siege of Rouen (November 1591 to April 1592).²³ Secondly, in response to James VI's request in April 1594, when he sent Colvill to: 'our dearest brother [Henri IV] ... to have that most ancient league contracted between our former predecessors of good memory their crowns and estates renewed and confirmed in most sure and straightest form in all points and articles.'²⁴ Following his successful campaign, Henri IV agreed in September 1594 that those Scots resident in France should have restored to them, 'the rights, privileges, and immunities granted to them by his ancestors'.²⁵ On 3 September 1597 James VI again wrote to his 'very dearly beloved good brother and cousin and ancient ally the King of France' to request him 'to renew the ancient friendship, alliance and confederation which is between the crowns of France and Scotland.'²⁶ The letters patent for

²¹ 'Lettres de Henri IV à la Comtesse de Grammont depuis l'année 1588 jusqu'en 1589', Henri Zozime, Marquis de Valori, *Journal Militaire de Henri IV (Discours sur l'art militaire en France du temps de Henri IV)*, [hereafter, Valori, *Journal Militaire de Henri IV*] (Paris, 1821), p. 300.

²² *Ibid.*, vol. 1, p. 107, n. 3. There is mention of a John Colvill, 'un Écossais émigré résident à Paris [in 1603]', who was conducting secret negotiations with the papal nuncio, B. Barbiche, 'La nonciature de France et les affaires d'Angleterre au début du XVII siècle' [hereafter, Barbiche, 'La nonciature de France'], *Bibliothèque de l'école des Chartes*, CXXV, (1967), p. 419.

²³ Valori, *Journal Militaire de Henri IV*, pp. 77, 103, 108 and 110. In mid-August 1591, 'about 4,000 English troops under the command of the Earl of Essex reached Dieppe', Buisseret, *Henry IV*, p. 38. According to D.M. Palliser, 'the English government realised that safety lay in numbers. Alliances were forged not only with the Dutch rebels but with Scotland (1586) and with the new Protestant king of France, Henry IV (1589)', *The Age of Elizabeth: England under the later Tudors 1547-1603* [hereafter Palliser, *The Age of Elizabeth*] (London, 1983). repr. (1985) p. 27.

²⁴ 'Instructions to our trusty and weilbeloved James Colvill of Eistervemys, directed be us to our dearest brother and cousing the king of France and Navarre, Edinburgh, Apryl, 1594', *The Warrender Papers*, ed., A. Cameron, Scottish History Society, 3rd Series (Edinburgh, 1932), vol. 2, pp. 237-38.

²⁵ *CSP, Scotland*, ed., J.A.Thorpe, vol. 2, p. 662; see also, 'propositions submitted by Lord Wemyss ... to the French king touching the league between the kingdoms of France and Scotland', December 1594, *Ibid.*, p. 669.

²⁶ 'Two Unpublished Letters of James VI', *Scottish Historical Review*, XVI (1919) p. 143, n. 1 *cf.* 'These two letters (for which the editor is indebted to Dr. Preserved Smith, Cambridge, U.S.A.) are found in the collection of

the restoration of ancient rights and privileges were formally registered in July 1599 following Philippe de Béthune's embassy to Scotland the previous May; during which time Béthune was instructed to discuss the establishment of a company of 100 'men-at-arms under the charge of the kings of Scots'.²⁷ ... and Henri wanted the position of lieutenant of this company given to the Sieur de Vuimes, [Wemyss] as much for his valor which he has shown on many occasions as for His Majesty's desire to bestow [it upon him]'.²⁸ Also, the 'friendship and good neighbourliness' between Henri IV and James VI was to extend to the reconfirmation of the rights and privileges of the *garde écossaise*: the famous French Kings' Scots Guards created by Charles VII in 1445, who were the first Royal Body Guards established in Western Europe and one of the pillars of the 'Auld Alliance'.²⁹ In his instructions to Philippe Béthune in May 1599, Henri IV ordered that 'henceforth that his *garde écossaise* was to be filled by *gentilshommes* of Scotland because he believed in truth that he was better served [by them]'.³⁰ Even though only fragmentary evidence of the *garde écossaise* seems to have survived for the period 1589 to 1623,³¹ Henri IV appears to have honoured his proposal. This

autographs made by the late Frederic Dreer and now housed in the Pennsylvania Historical Society, 1300 Locust Street, Philadelphia', *Ibid.*, p. 141.

²⁷ Concerning the 'companies of ordnance' established by Charles VII in 1445: the establishment of the 'Scottish Company of Gendarmerie' also took place at the time of the 'institution of the 15 ancient companies of ordnance'; the Scots being considered 'the premier of all the Gendarmerie', Pere Gabriel Daniel, *Histoire de la Milice Française...*, 2 vols (Paris, 1721) vol. 2, pp. 237-38. Professor Kiernan also says that 'of the original fifteen companies the first in order and precedence was composed of Scots' and that 'each company [was] made up of 100 "lances", units of one heavy-armed horseman with two or three footmen or mounted infantry', V. Kiernan, 'Foreign Mercenaries and Absolute Monarchy', *Past and Present* (1957) p. 67, n. 6 *cf.* E. Fieffé, *Histoire des Troupes Étrangères au service de la France* (Paris, 1854) vol. 1, p. 41.

²⁸ CSP, *Scotland*, ed., J. D. Mackie, vol. XIII (pt.1), p. 472.

²⁹ For further information see, Bonner, 'Auld Alliance', pp. 17-9.

³⁰ CSP, *Scotland*, vol. XIII (pt.1), p. 472.

³¹ For references of remaining fragments see W. Forbes Leith, *The Scots Men-at-Arms and Life Guards in France*, 2 vols, (Edinburgh, 1882), vol. 2, pp. 186-88. There is a similar lack of evidence for the 100 Scottish men-at-arms, however there are a few remaining snippets: 'Frais de transport d'Écosse à la Rochelle 1587-89, ... Entretien du Capitaine Coleville, Écossais, *Ibid.*, vol. 1, p. 193, *cf.* Archives des Basses Pyrénées, B. 2899, 2909, 2917, 2935, 2946, 2986, 3025; and part of a Muster Roll, 8 janvier 1613, of Jacques de Colvil, Baron de Wymes, capitaine, Lieutenant de la

appears in the dedication by an expatriate Scot, A. Houston, who dedicated, *French Scotland: Discourse of the Alliances ... between France and Scotland*, which was published in Paris in 1608.³² to Henry, Prince of Wales who had been named by James VI after 'his dearest brother', Henri IV.³³

It is clear from this evidence that the initiative for resurrecting the 'Auld Alliance' in its original and traditional form during the 1590s rested entirely with James, which he pursued from April 1594 asking, as we have seen, for 'that most ancient league ... [to be] renewed and confirmed in most sure and straightest form in all points and articles'.³⁴ It is also clear that Henri IV vacillated in renewing in total the 'Auld Alliance', but in the years following 1594 he gradually reinstated most of the traditional privileges granted to the Scots over many centuries by his predecessors with the exception of the military alliance against England, opting in May 1599 for 'friendship and good neighbourliness' so as not to give 'umbrage' to Elizabeth. The reason why James wished to renew the 'most ancient league' with France ... 'in all points and articles', can be seen as a political manoeuvre to secure his succession to Elizabeth and the crown of England.

By invoking the ancient tenets of the 'Auld Alliance' in April 1594 James VI was using an historic and time-honoured plea to the French crown, which had been used by Scottish monarchs since 1295, for mutual support against England. This invocation coincided with the publication of *A Conference About the Next Succession to the Crown of England...* by R. Doleman in Antwerp with a dedication to the Earl of Essex dated December 1593:

A Conference About the Next Succession to the Crown of England: Divided into Two Parts. The First containeth The

c[ompanie] des 100 hommes d'armes Écossais,' *Ibid*, vol. 1, p. 194, cf, BN, [Fonds français] 26471, Nos. 12-15.

³² *L'Escosse Francoise. Discours des Alliances commencees depuis l'an sept cents septante sept,[777] et continuees iusques à present, entre les Couronnes de France et d'Escosse (Paris, 1608)* reprinted in *Papers Relative to the Royal Guard of Scottish Archers in France*, Maitland Club, vol. 36 (Edinburgh, 1835).

³³ Henri IV recognised the depth of James's commitment to the 'Auld Alliance', 'by the many assurances of his friendship given by the ambassadors James had sent to him, and also by the oath and prayer that James had made to give his first son [Henry] his name [qu'il luy fit de donner son nom à son premier fils]', 'Henri IV's Instructions to Philippe Béthune', May 1599, *CSP, Scotland*, vol. XIII (pt.1), p. 468.

³⁴ *Warrender Papers*, vol. 2, pp. 237-38.

*Discourse of a Civil Lawyer; how, and in what manner Propinquity of Bloud is to be preferred. The Second containet The Speech of a Temporal Lawyer, about the particular Titles of all such as do, or may pretend (within England or without) to the next succession. Whereunto is also added, A New and perfect Arbor and Genealogy of the Descens of all the Kings and Princes of England, from the Conquest unto this day; whereby each mans Pretence is made more plain. Dedicated to the Right Honourable the Earl of Essex, one of Her Majesties Privy Council, and of the Noble Order of the Garter, [attributed to Robert Parsons (1546-1610)], published by R. Doleman [1594].*³⁵

This 'Book of Succession', as it became known, was compiled by a number of Jesuit authors, chief among whom was Father Robert Persons/Parsons, and has been subsequently described by British historians as the 'Parsons/Doleman tract'. It sets out the contemporary catholic thinking of the late 1580s and early 1590s that is, after the execution in February 1587 of James' mother, Mary Queen of Scots, by deed of a death warrant signed by Elizabeth, 'to have a large Spanish and Papal force with which to secure Scotland and then raise the Roman catholics in England'.³⁶ That James took the 'Book of Succession' very seriously indeed is evidenced by his urgent request to Henri IV in April 1594, two months after its publication, to renew the 'Auld Alliance'. James' greatest objection to the 'Book of Succession', however, was to 'the consideration of ten or so pretenders to the [English] succession' several of whom were nominated as aliens 'including James himself'. Furthermore, Persons did not see 'anything in particular urged against the King of Scotland with greater force than against the claims of others, except that the author supposed him [James] to be a heretic and stressed arguments on that score'.³⁷ Paradoxically, in 1589 the English had drawn up an alliance with Henri IV and 'over the next six years five separate expeditionary forces were sent to fight for Henry against his Catholic rebels. The diplomatic revolution was complete, as Burghley acknowledged to Shrewsbury: "My Lord, the state of the world is marvelously changed, whan we trew Englishmen have cause

³⁵ 'Re-printed at N. with license MDCLXXXI [1681]', Microfilm, 1974, Wing/1153:34, copy from the Union Theological Seminary (New York, N.Y.) Library, EEBO: *Early English Books Online*, Fisher Library, University of Sydney.

³⁶ Donaldson, *Scotland: James V-James VII*, p. 176.

³⁷ L Hicks, 'Robert Persons and The Book of Succession [hereafter Hicks, 'Book of Succession']', *Recusant History*, 4 (Oct., 1957), pp. 106 and 109.

for our own quietnes to wish good succes to a French Kyng, and a Kyng of Scotts”³⁸.

From an English point of view the most important determining factor in choosing a successor to Elizabeth was religion. This had been, and was to be, the case from the time of Henry VIII to the imposition of the Hanoverians in 1714, despite the greater claims at that time of fifty-two Stuarts. This, indeed, was a general European view and had been the case in contemporary France where the Protestant King Henri of Navarre agreed to become the Catholic Henri IV of France and Navarre, remarking famously: “Paris is worth a Mass”. James too made religion political when, in his ‘Instructions in April 1594 to Sir James Colvill’, he had asked Colvill to ‘travel earnestly [to James Beaton to seek] his restitution *ad integrum* in all he was dispossessed [in France]’.³⁹ Beaton, who had succeeded David Paniter as Abbot of the French Abbey of Absie by Henri II’s grant in 1558 and other benefices later, was challenged in 1595 by the *Parlement* of Paris, which dismissed these charges in 1598.⁴⁰ Beaton had received assistance from Maximilien de Béthune, duc de Sully, Henri IV’s Chief Minister, to whom, it seems, he was distantly related.⁴¹ According to French genealogical sources⁴² the Beatons of Scotland were descended from the Béthunes of Flanders who settled in the kingdom of Scotland which later became a branch of the Lords of Balfour. This information is at variance with Dr. Margaret Sanderson who claims that the Beaton who settled in Angus, was Alexander Beaton whose son, Sir

³⁸ Palliser, *The Age of Elizabeth*, p. 27, n. 25 cf. S. d’Ewes, *The Journals of all the Parliaments During the Reign of Queen Elizabeth* (London, 1682), p. 472; and E. Lodge, *Illustrations of British History, Biography, and Manners, in the Reigns of Henry VIII, Edward VI, Mary, Elizabeth and James I...*, 3 vols (London, 1791), vol. 2, p. 400.

³⁹ Warrender Papers, vol. 2, p. 240.

⁴⁰ E. Raison, *L’Abbaye de l’Absie-en-Gâtine, 1120-1735* (Poitiers, 1936), p. 122.

⁴¹ *Ibid*, p. 124, n. 3, cf. *Economies Royales*, t. XIV, ch. LII, p. 152; [Abridged title of *Mémoires de Maximilien de Béthune, duc de Sully, principal ministre de Henry le Grand*]. Raison says that ‘the cardinal of Bourbon,’ begged Sully, “to prevent such a vexation being exercised against your relative whom you love cordially and who never speaks of you without tears in his eyes...”’ *L’Abbaye de l’Absie-en-Gâtine*, p. 124.

⁴² *Ibid*, p. 125, n.s 1 and 2, cf. Castelnau de la Mauvisière, *Mémoires* (Bruxelles, 1731), tome 1, p. 538; see also Du Chesne, *Histoire Généalogique de la maison de Béthune* (Paris, 1639), pp. 382 and 534.

Robert married the heiress of Balfour in Fife and settled there about 1360'.⁴³ The point to make here is not so much which genealogical authority is correct,⁴⁴ but that apparently both Sully and James Beaton *thought* they were related, and that this was an advantage to Beaton in establishing his legal rights to hold and maintain ecclesiastical benefices in France.

In his last years James Beaton increasingly occupied himself with the concerns of the Scots College in Paris. Shortly before his death in 1603, he received a visit from the Papal Nuncio, Innocenzo Del Bufalo, concerning the accession of James VI to the English throne, and possibly, concerning the Nuncio's arrangements to send an Italian, Giovanni Degli Effetti to London in June 1603 in the 'suite of the Marquis de Rosny, who was sent by Henri IV to congratulate James [VI and] I on his accession to the English throne'.⁴⁵ Degli Effetti, who contracted a fever which prevented him from returning to France with de Rosny's suite, remained three months in London during which time he made contact with English Catholics including the queen, Anna of Denmark, who had been "reconciled with the Catholic church in 1599",⁴⁶ sent long and detailed reports to the Nuncio'.⁴⁷ Barbiche says that there are ten letters addressed to Del Bufalo from Degli Effetti during these three months of which he says: 'most were very long, frequently lively and picturesque. They throw an interesting light,' continues Barbiche, 'on the English court at the beginning of James' reign and gives us valuable insights into the embassy of de Rosny'.⁴⁸ Barbiche concludes that 'the object of the papal nuncio's visit to Paris', following James VI and I's accession, was 'to open the way to a return of England to Catholicism and to 'the hope to convert him, which the Papacy had nourished since James had commenced his personal reign as King of Scotland'.⁴⁹

⁴³ M.H.B., Sanderson, *Cardinal of Scotland: David Beaton c. 1494-1546* (Edinburgh, 1986), p. 8, n. 2, cf, J.T. Clark, *MacFarlane's Genealogical Collections*, Scottish History Society (Edinburgh, 1899), vol. 1, pp. 1-35.

⁴⁴ The fallibility of genealogical authorities in general is notorious although the advantage of Du Chesne's sources are that they were collected and published in the 17th century from original documents which may have no longer existed, as so many did not survive, during and after the French Revolution.

⁴⁵ Barbiche, 'La nonciature de France', p. 417.

⁴⁶ Hicks, 'Book of Succession', p. 121.

⁴⁷ Barbiche, 'La nonciature de France', p. 414; for Giovanni Degli Effetti and his mission see, *Correspondance du nonce Del Bufalo, évêque de Camerino, 1601-1604*. ed., B. Barbiche (Paris, 1964), pp. 22-3.

⁴⁸ Barbiche, 'La nonciature de France', p. 414.

⁴⁹ *Ibid.*, p. 418.

Regarding Anna of Denmark's Catholicism an important article has just been published.⁵⁰ Meikle and Payne argue that, 'around 1592-3 she [Anna] would secretly adopt the Catholic liturgy in her private devotions', but attend both 'both Protestant and Catholic services', in order to satisfy 'the highly-charged political and religious atmosphere of the Jacobean royal court'. The authors agree that 'there is a wide gap between attending mass and fully converting to Catholicism', with a number of historians agreeing that Anna's full conversion did not occur until around 1600, 'although H. Chadwick suggested 1599'. Meikle and Payne claim, however, that 'Anna's first use of the Catholic liturgy was, in fact, much earlier than this', which they assert will be demonstrated in this article 'through close study of the prominent women within the [royal] household, both in Scotland before 1603 and afterwards in England'.⁵¹

In December 1593 Anna was reported "to be very well enclyned unto Catholique religion, beeing thereunto partly perswaded by the Lady Huntley, of whome she hathe receaved a Catholique Catechisme in French, which she much esteemeth".⁵²

'Lady Huntley' was Henrietta, eldest daughter of Esmé Stuart, 7th seigneur d'Aubigny and duke of Lennox, who had married the Catholic George Gordon, 6th earl (and later 1st Marquis) of Huntly in 1588.⁵³ Apparently, 'Anna had learned French prior to her marriage in order to have a common language with her husband and Scottish courtiers'. Indeed, Anna took the Oath in French at her coronation.⁵⁴ It would appear, therefore, that not an inconsiderable French culture prevailed at the royal court during the 1590s. Following the birth of their first child Henry in 1594, named as we have seen after Henri IV, a serious rift developed between the royal couple. Meikle and Payne argue that 'Anna was unhappy at the prospect of her child being placed

⁵⁰ Maureen M. Meikle and Helen M. Payne, 'From Lutheranism to Catholicism: The Faith of Anna of Denmark (1574-1619)' [hereafter, Meikle and Payne, 'The Faith of Anna of Denmark'], *Journal of Ecclesiastical History*, Vol. 64, No. 1 (2013), pp. 45-69.

⁵¹ *Ibid*, p. 46, n. 3; cf. H. Chadwick, 'Crypto-Catholicism, English and Scottish', *The Month*, clxxviii (1942), p. 399.

⁵² Meikle and Payne, 'The Faith of Anna of Denmark', p. 48, cf. *The Letters of Richard Verstegan*, ed. A. Petti (Catholic Record Society lii, 1959), p. 193.

⁵³ 'James [VI] had given them a magnificent wedding at Holyrood and 5,000 merks (£3,333 Scots) to cover their travelling expenses', Meikle and Payne, 'The Faith of Anna of Denmark', p. 48.

⁵⁴ *Ibid*, pp. 47-8.

in the Protestant household of [John Erskine, 2nd] earl of Mar at Stirling'. They claim that 'James wanted Henry kept well away from danger, so his heir was destined to have the same solitary nurturing at Stirling that James himself had experienced under the formidable Annabelle Murray, dowager countess of Mar'.⁵⁵ Yet surely consideration should also be given to the French (and Catholic) influence of the countess of Mar, the earl's second wife Mary whom he married in 1592, and who was the youngest daughter of Esmé Stuart and sister of Henrietta, countess of Huntly.⁵⁶ There are further French influences at the Scottish and English royal courts mentioned in this article, but omitted are the French embassies from Henri IV of Philippe de Béthune in 1599, that of the Marquis de Rosny in 1603 followed by the three-month sojourn of Degli Effetti in London and his letters regarding Anna of Denmark and other Catholics at the royal court.⁵⁷

There is one final point to make regarding the ambience of French culture at the Scottish royal court at the end of the 1590s; that of literary remains. One such example, not published until well into the seventeenth century, was the *Memoirs* of Sir James Melville of Halhill,⁵⁸ who had drifted back to the Scottish court after years of exile from it during the four regencies

⁵⁵ *Ibid.*, p. 50. However, Meikle and Payne observe, 'all the other royal children born before 1603 were placed in Catholic households'. It is therefore significant, when considering the role of religion during the reign of Charles I, to note that in 1600 he 'was placed with Alexander Seton, Lord Fyvie (later earl of Dunfermline), a prominent courtier and crypto-Catholic friend of the royal couple who had been educated by the jesuits in Rome', *Ibid.*, pp. 50-1.

⁵⁶ Cust, *Stuarts of Aubigny*, p. 96.

⁵⁷ Professor Barbiche says these letters are presently held in the Vatican archives. For further information regarding Papal Nuncios' correspondence, see Elizabeth Bonner, 'Vatican Secrets: some unpublished correspondence of sixteenth-century Papal Nuncios at the French court', *Innes Review*, 53 (Spring, 2002), pp. 60-78. It is not known if these references appear in H.M. Payne, 'Aristocratic women and the Jacobean court, 1603-1625', unpubl. PhD diss. London 2001.

⁵⁸ *The Memoirs of Sir James Melville of Halhill. Containing an impartial Account of the most remarkable AFFAIRS OF STATE during the Sixteenth Century, not mentioned by other historians; more particularly relating to the Kingdoms of ENGLAND and SCOTLAND, under the Reigns of Queen ELIZABETH, MARY, Queen of Scots, and King JAMES. In most of which TRANSACTIONS the AUTHOR was Personally and Publicly concerned* [hereafter Melville, *Memoirs*], edited and introduction by Gordon Donaldson, Folio Society (London, 1969).

of the young king,⁵⁹ in order, it would appear, to ingratiate himself and his family with James VI. According to Professor Gordon Donaldson's analysis of his *Memoirs*, Melville's career as a soldier, a courtier and a diplomat began in 1550 at the age of fourteen when he was attached to the train of Jean de Monluc, bishop of Valence, by the Queen Dowager of Scotland, Marie de Guise-Lorraine, who wished Melville "to be placed page of honour [at the French court] to the queen [Mary Queen of Scots], her daughter".⁶⁰ At the age of seventeen, Melville entered the service of Anne de Montmorency, Constable and first peer of France,⁶¹ and with whom he saw a great deal of military service during the next four years during the Habsburg-Valois conflicts in north-western Europe. Donaldson says Melville's *Memoirs* was probably was not put together, from "old written memorials that were lying beside me", before 1597 or even later when Melville was in his sixties; he did not die until 1617. Apparently Melville, always an opportunist, took advantage of the French military favour at Court and in his *Memoirs* decided to invest his cousin, Sir William Kirkcaldy of Grange,⁶² with all the courtly gallantry of a noble young Scottish knight who engaged himself in battle as part of the French king's [Henri II] own Scots Lances, in order to impress the young James VI.

In his *Memoirs*, however, Melville fallaciously claimed that Kirkcaldy, during his sojourn in France from 1547 to 1557, was captain of 100 of the French king's Light Horse, extolled by the Dukes of Vendôme and Aumale and the Prince of Condé, spoken of as a 'valliant man' by the king, Henri II and chosen by the King as a sporting companion. He also claimed that the great Constable (Anne de Montmorency), would not speak to him 'on couerit,' and finally, that Henri II gave him a pension which Kirkcaldy chose

⁵⁹ James Stewart, earl of Moray, Regent 1567, murdered by James Hamilton of Bothwellhaugh 23rd January 1570; Matthew Stewart, 4th earl of Lennox, Regent 1570 assassinated 4 September 1571; John Erskine, earl of Mar, Regent 5th September 1571 died of natural causes 28th October 1572; James Douglas, earl of Morton, Regent 1572, executed as an accessory to Darnley's (James VI's father) murder in June 1581.

⁶⁰ Melville, *Memoirs* (Bannatyne edition, 1827), p. 19; Mary, aged 5 years and 8 months, had been taken to France in August 1548 following her betrothal the previous month to the Dauphin François, son and heir of the French king, Henri II.

⁶¹ 'Sa I entred in service with the said Constable in the year of God 1553 in the moneth of May' *Ibid*, p. 21.

⁶² Sir James Melville of Halhill and Kirkcaldy were first cousins: his father, Sir James Kirkcaldy of Grange was married to Janet Melville, daughter of Sir James Melville of Raith and sister of Sir John Melville of Raith, Sir James Melville of Halhill's father, *Oxford DNB*.

to ignore. Alas, there is no evidence for any of these assertions in the surviving contemporary records in the archives and libraries of France. Indeed, Melville's assertions regarding William Kirkcaldy are almost a perfect description of those applicable to James Hamilton, 3rd earl of Arran, or Young Arran as he was known to contemporaries, who was the eldest son of the recently created (1549) duke of Châtellerauld.⁶³ All the captains of the French king's 'Companies of Ordnance' comprised the highest nobles in France (or their sons) and many, if not most, were members of the Royal Military Order of Saint-Michel; Young Arran's father had been admitted into the Order in 1548. Young Arran, who was born *circa* 1537, had been released in August 1547 from custody in St. Andrews castle where he had initially been lodged in 1543 by Cardinal Beaton as a pledge for his father's loyalty, and where he had been kept as a hostage by the 'Castilians' (one of whom was William Kirkcaldy of Grange) for fifteen months after they had murdered Cardinal Beaton on 29 May 1546, having then occupied the Castle.⁶⁴ Now, in May 1548, he was sent to France once more as a pledge for his father, this time to Henri II who, on 27 January 1548, had offered the 2nd earl of Arran a French duchy in return for an assurance from him, as governor of Scotland, that he would secure the consent of the Scottish parliament to the marriage of Mary Queen of Scots to his son and heir, François. The evidence for Melville's assertions regarding William Kirkcaldy simply does not stand up to scrutiny, and ample evidence from the 1550s for James Hamilton, 3rd earl of Arran, survives in France.⁶⁵ Between campaigns he stayed at Châtellerauld with numerous of his kin who had joined him and his company of Scottish Lances in Henri II's permanent army. No doubt he was invited to court to dine, dance and hunt and converse with his cousin, Mary Queen of Scots, prior to

⁶³ For details of James Hamilton, 2nd earl of Arran see, Bonner, *Rough Wooings of Mary Queen of Scots*, *passim*, but especially, pp. 109-10.

⁶⁴ See Elizabeth Bonner, 'The Recovery of St. Andrews Castle in 1547: French Naval Policy and Diplomacy in the British Isles', *English Historical Review*, CXI, 442 (1996), pp. 578-97, republished in: *Naval History 1500-1680*, ed., Jan Glete, Historiska Institutionen Stockholms Universitet, (*The International Library of Essays in Military History*, series editor, Jeremy Black), Ashgate Publishing (Aldershot, Hampshire, 2005), pp. 381-401.

⁶⁵ For example, one of Arran's Muster Roll's of 60 Lances in the French king's army dated 27 July 1550, BN, Collection Clairambault 255, No. 1377; unlike Kirkcaldy there remains abundant evidence as there are at least twenty five manuscript documents concerning Young Arran's military exploits in France during the reign of Henri II, for full transcriptions see, Elizabeth Bonner, *The Scots and the French Army, 1547-1559: French Military and Financial Documents Concerning Scotland during the Reign of Henri II*, Scottish History Society, Edinburgh (forthcoming).

whose wedding he received a handsome pension from Henri II.⁶⁶ Indeed, Young Arran was and did all the things that Melville claimed for Kirkcaldy.⁶⁷ Therefore, when James Melville was compiling his *Memoirs* in the late 1590s, whilst still attached to the court of James VI, he could hardly laud Young Arran (the details of whose life, as contemporaries in the French army during the 1550s, he must have known) who had long since been stripped of his title and lands and confined with a mental disorder until his death in 1609. Melville could, however, invest his relative by marriage, Sir William Kirkcaldy of Grange, with all the gallantry of a noble young Scottish knight who engaged himself in battle as part of the French king's own Scots Lances, in order to impress the young James VI, who no doubt had heard many stories of chivalric deeds in France from his cousin Esmé, son of his great-uncle John Stuart 6th seigneur d'Aubigny.

Thus by 1599, having deliberately promoted a pro-French policy James had with exceptional political and diplomatic skill, to a large extent in terms of friendship and good neighbourliness, resurrected much of Scotland's 'Auld Alliance' with France. He had named his son and heir Henry who was born in 1594 after the French king, in the same year that James had initiated the negotiations for a resumption of the 'Auld Alliance',⁶⁸ and capped the decade and the century by re-aligning Scotland's New Year's Day with France as of the 1st of January 1600. These then were the political and diplomatic assets that James brought to the table when the secret negotiations for Elizabeth's successor took place with Sir Robert Cecil during 1601 and 1602.⁶⁹ That Lord Burghley, Robert's father and Elizabeth's great minister,

⁶⁶ For a full transcription of this document, Bonner, *The Scots and the French Army, 1547-1559*.

⁶⁷ For Young Arran see Elizabeth Bonner, 'Continuing the 'Auld Alliance' in the 16th Century: Scots in France and French in Scotland'; in *The Scottish Soldier Abroad, 1247-1967*, ed., Grant G. Simpson (Edinburgh, 1992), pp. 31-46; and Bonner, 'French Naturalization of the Scots', pp. 1094-5 and 1109-11. Also see, 'Sir William Kirkcaldy of Grange (c.1520-1573), soldier and politician', *Oxford DNB*; for a detailed analysis of his early life see, 'The Early Career of Sir William Kirkcaldy of Grange, c.1520-1559' (forthcoming).

⁶⁸ 'Instructions from James VI to James Colvill, Apryl, 1594', *Warrender Papers*, vol. 2, p. 238. Also in 1594, the coronation of Henri IV took place at Chartres on 27 February, followed by his Entry into Paris on 22 March the same year. It should also be noted that the 'Book of Succession' with which James was so preoccupied was published in 1594.

⁶⁹ John Guy, *Tudor England* (Oxford, 1990), pp., 452-4, cf. *Correspondence of King James VI of Scotland with Robert Cecil and Others in England during the Reign of Queen Elizabeth*, ed., J. Bruce (Camden Society, os 78; London, 1861).

had died in 1598 and with him had passed all the personal and political difficulties with Scotland and France from the time of Elizabeth's accession in 1558, would have had their positive effects on the negotiations with the new men who would take up rule in the seventeenth century: James VI of Scotland and soon-to-be Ist of England and Sir Robert Cecil, his soon-to-be new Chief Minister.